

Delaware Department of Correction

State Council for Interstate Adult Offender Supervision - Meeting Minutes

Tuesday, July 26, 2011

Members Present: Carl Danberg, Commissioner of the Delaware Department of Correction (DOC); Karl Hines, Bureau Chief of DOC Community Corrections; Carlo Pini; Curt Shockley, Director of DOC Probation & Parole; Kim Book, Executive Director of Victims' Voices Heard; Honorable Andrea Rocanelli, Judge of the Court of Common Pleas in New Castle County (via phone).

Guest Present: N/A

I. Call to order

Commissioner Carl Danberg called to order the meeting of the State Council for Interstate Adult Offender Supervision at 2:10 p.m. on Tuesday, July 26, in conference room 300 of the DOC Admin Bldg.

II. New Business:

- Danberg explained the purpose of the Board and the reason for the meeting. He stated that Delaware signed onto the federal law governing the transfer of probationers between states - the Interstate Commission for Adult Offender Supervision – and that law requires each state to have a multi-disciplinary commission comprised of representatives from all branches of government. The major function of the commission is to ensure that Delaware is aware of proposed rule changes and has the opportunity to discuss the proposed changes to make certain they would not disaffect Delaware or other states in the region. Due to its size and location, Delaware receives and transfers probationers with great frequency.
- Danberg then stated that he wished to nominate Karl Hines to be chair of the commission. Motion that Hines be the chair and represent the commission at regional and national meetings – Judge Andrea Rocanelli, 2nd Danberg. Unanimously approved.
- Hines stated that this is a rule-making year for the federal commission, with votes taking place at the national meeting in September. There are several proposed rule changes that are going to be addressed this afternoon.
- Carlo Pini addressed the first proposed rule change, which involved the transfer of supervision of sex offenders (Rule 3.101-3). Pini explained the basic concept of the proposed change is that if a requested residence does not comply with Delaware laws, Delaware would be required to help find an alternate residence. Concerns were addressed about the level of responsibility Delaware would have in offering assistance. Additionally, concerns were raised about differentiating level of responsibility for mandatory transfers and discretionary transfers. Danberg suggested that Delaware reach out to surrounding states to address the language used in the rule. Judge Rocanelli suggested that when we discuss this issue with neighboring states that we strongly consider a proposal along the lines of - The receiving state shall provide reasonable effort for mandatory transfers. For discretionary transfers, the receiving state shall

notify the sending state that alternate addresses should be provided. New language will be circulated among commission members for review.

- Pini addressed the second proposed rule change, which involved pre-release transfer (Rule 3.105). Hines stated it appeared the proposed change is primarily cleaning up the wording in the existing rule. There was no additional discussion on the proposed rule change, but Kim Book wanted to know how victim's notification was taken into consideration when transferring an offender from one state to another. Pini stated that the national commission left that up to each state's respective laws. Danberg said he would have Dwight Holden, Director of DOC Victim Services, review the Delaware law and determine if we need to strengthen victim notification. Danberg also offered clarification that our concern be that victims' notification is addressed in the commission's rules as a whole body of work, not that it be addressed within each rule itself.
- Pini addressed the final rule change, which involved transfer request (Rule 3.107). Pini explained that this proposed change updates the language to reflect there is an electronic format being used that replaces the paper trail previously used. No comments or discussion.
- Hines informed commission members that the national meeting would take place Sept. 12-15 in Montgomery, Alabama. He also stated that he expects the commission to meet twice a year – once prior to the national meeting and once in the winter before rules changes go into effect in January. He welcomes members to visit the national commission's website for additional information.

III. Adjournment

Chair Hines adjourned meeting at 3:07 p.m.

Submitted by: John Painter